

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JESSICA ADAMS,

Plaintiff,

vs.

No. CV 18-925 KG/GBW

C3 PIPELINE CONSTRUCTION, INC.,

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION


This matter is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition ("PFRD") (Doc. 64), recommending that the Court modify its previous entry of default judgment as to liability and enter damages in the total amount of \$20,050,000.

This case was referred to the Magistrate Judge to conduct hearings and perform legal analysis pursuant to 28 U.S.C. § 636(b)(1)(B), (b)(3) and *Va. Beach Fed. Sav. & Loan Ass'n v. Wood*, 901 F.2d 849 (10th Cir. 1990). *See* Docs. 28, 59. The Magistrate Judge filed his PFRD recommending modification and entry of default judgment on March 6, 2020. Doc. 64. Neither Plaintiff nor Defendant filed objections to the Magistrate Judge's PFRD within the allotted time. Appellate review of this issue is therefore waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1059–60 (10th Cir. 1996).

Failure to object to the PFRD also waives the right to *de novo* review by the district court. *See id.* at 1060; *Thomas v. Arn*, 474 U.S. 140, 149–150 (1985). Nevertheless, the Court has decided, *sua sponte*, to conduct a *de novo* review of the Magistrate Judge's findings in this case.

See One Parcel, 73 F.3d at 1061. The Court hereby concurs with all of the factual and legal conclusions recited therein.

Wherefore, IT IS HEREBY ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 64) are ADOPTED. By the Orders entered concurrently herewith, the Court will modify its Default Judgment as to Liability (Doc. 23) and enter damages in the total amount of \$20,050,000.



UNITED STATES DISTRICT JUDGE